Department of Library, Archives, and Public Records

TITLE 2. ADMINISTRATION

CHAPTER 3. DEPARTMENT OF LIBRARY, ARCHIVES AND PUBLIC RECORDS

(Authority: A.R.S. § 41-1331 et seq.)

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Editor's Note: In the text of the rules below, the "Assistant Director" has been changed to "Director" to reflect the change of this agency from a division to a department.

ARTICLE 1. GENERAL PROVISIONS

R2-3-01. Admittance rules

- A. The reading rooms and resources of the Department shall be available during regular state office hours to all persons 12 years of age or over, subject to orderly appearance and conduct. Children under 12 years of age shall be admitted only when accompanied by an adult, and in groups of not to exceed 20
- B. Visitors carrying brief cases, containers or overcoats shall check the same at the counter before entering the reading room or stacks.
- **C.** No dogs shall be allowed.
- D. Loafing, drinking, smoking, lunching, or sleeping shall not be permitted.

R2-3-02. Use of materials

- A. All books and periodicals, maps, pictures and manuscripts held by the Department shall be available for the use of patrons in the reading room but shall not be marked, marred, cut or torn. The user shall be liable for damages in any such event.
- **B.** Books may be loaned to responsible patrons for a period of not exceeding one week, except reference and genealogical books, and books on Arizona history of which the Department possesses but one copy or which are classed as rare.
- **C.** Law books may be borrowed only by attorneys.

- **D.** Books shall be loaned to residents of other states only on interlibrary loan and for a specified period, all transportation charges to be paid by the borrower.
- **E.** A borrower who fails to return a book shall be held liable for the value thereof. If the book is returned within six months after payment has been made to the Department and is still in usable condition, the money will be refunded. Fifty cents will be withheld for handling charges for the transaction.
- **F.** Periodicals and federal and state departmentals shall not be subject to loan, except legal periodicals which may be loaned to attorneys under the rule relating to law books.
- **G.** Photostat copies of desired material may be procured by making special arrangements for the same.

R2-3-03. Retirement

Beginning January 1, 1972, employees of this Department may remain on the payroll on an annual basis after the retirement age of 65 has been reached, until the mandatory age of 70 has been reached. The following procedures will be followed:

- Three months before the 65th birthday, and annually thereafter, evaluations will be made by both the direct Supervisor and the Department Head or the Director whichever is applicable. The evaluations will be concerned with the physical and mental ability of the employee to perform the duties of the position held.
- The Director will consider these evaluations and make the final decision. Should it be established the employee cannot perform the assigned duties because of age, the employee will be requested to retire.
- Any employee reaching the age of 65 before April 1, 1972, will be given a three-month extension in order to implement these regulations.

ARTICLE 2. DISPOSITION AND TRANSFER OF PUBLIC RECORDS

R2-3-13. Definitions

When used in the following Rules or in the Regulations, the following terms shall be construed as follows:

- "Board" refers to the "Board of History and Archives", composed of the Director of the Library, Archives and Public Records Department, the Attorney General, the Post Auditor and, when public records of a city, county or other political subdivision are involved, the State Examiner.
- "Director" refers to the Director of the Library, Archives and Public Records Department.
- 3. "Records" refers to "all books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by any governmental agency in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the government, or because of the informational and historical value of data contained therein".

Note: Library or museum material made or acquired solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications or documents intended for sale or distribution to interested persons, are not included within the definition of "records".

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- "Agency" refers to any unit of state government (state, county, municipal or other agency or other public officer).
- "Noncurrent record or records" refers to any record or records infrequently needed for the conduct of current operation and are not required to be retained in the office of origin or where they accumulate.
- "Record series" refers to any group of related records which are normally used and filed as a unit and which permit evaluation as a unit for disposition purposes.

Historical Note

Former Rule 1.

R2-3-14. General provisions

- A. No state, county or municipal government is permitted to destroy any record without first procuring from the Board of History and Archives permission to do so.
- B. Each state, county and municipal agency or other public official shall secure from the Board, in the manner and form prescribed, authorization to destroy or otherwise dispose of any record in its possession which is considered by it to have no further administrative, legal, fiscal, or historical value sufficient to warrant the retention of such record.

Historical Note

Former Rule 2.

R2-3-15. Authorization of destruction

- **A.** No record shall be destroyed on a scheduled basis.
- B. Authorizations issued by the Board to agencies to destroy state, county, or municipal records in their possession shall be of one major type listed.
 - A listed destruction is an authorization to destroy a specific record series and does not include any authorization to destroy a part or parts of the record series in the future.

Historical Note

Former Rule 3.

R2-3-16. Requests for destruction authorizations

Any agency desiring authorization to destroy records in its possession shall submit to the Library, Archives and Public Records Department as a request for such authorization on form H & A No. 1 as amended, as herein prescribed, and hereto attached. Upon receipt of such request, the Director of the Library, Archives and Public Records Department will present the request to the Board for determination, and the agency will be advised of the approval or denial of the request on form H & A No. 1 as amended, as herein prescribed, and hereto attached.

Historical Note

Former Rule 4.

R2-3-17. Review of records conservation requests

- A. Requests for authorization to destroy state, county, municipal, or other public record shall be reviewed by the Board of History and Archives to determine if the:
 - 1. Destruction proposed is justified;
 - Record has sufficient cultural or historical value to warrant its continued preservation;
 - Record requires preservation for an extended period of time longer than the proposed retention period because the informational value of the record is essential for scholarly or technical research;
 - Record is or may be required in the prosecution or defense of any court action for or against the state, or if the record has or will be retained for a sufficient time to permit the Attorney General or county attorney to perform his legal duties;

- 5. Record is or will be required for audit purposes;
- Record has been or will be retained for a sufficient period
 of time to permit the Post Auditor or State Examiner to
 perform their legally assigned duties as auditors of the
 receipts and expenditures of state, county and municipal
 monies.
- **B.** In the event the Board determines that any record in the custody of a public officer, excepting those in custody of a public officer of a county, city or municipality, district or political subdivision thereof, are of no legal, administrative, historical or other value, but the public officer having custody of such records, or from whose office the records originated, fails to agree with the determination of the Board or refuses to dispose of such records, the Board may request the Governor to make a determination as to whether the records should be disposed of in the interests of conservation of space, economy or safety.
- C. No authorization to destroy state, county, municipal or other public record will be issued by the Director of the Library, Archives and Public Records Department if the Board advises that the records should not be destroyed.

Historical Note

Former Rule 5.

R2-3-18. Transfer of records

- A. The transfer of inactive and noncurrent state, county and municipal records meriting permanent preservation may be transferred to an intermediate depository or the Library, Archives and Public Records Department at such times and in the manner as prescribed by the Board or the Director.
- **B.** Each agency shall:
 - Consult with the Board or the Director in the preparation of a definite records program;
 - Establish and maintain an accurate inventory of all the records of the agency;
 - Promptly dispose of all records authorized by the Board to be destroyed and in the manner authorized;
 - Establish and maintain accurate records of the identity and quantity of records destroyed, and the equipment and space previously occupied by the records destroyed;
 - Establish and maintain such other records related to the disposition, transfer or retention as may be required by the Board or the Director;
 - Furnish to the Library, Archives and Public Records
 Department reports regarding the records of the agency
 which the Director may deem necessary;
 - Maintain the records of the agency in a manner that permits the orderly and rapid separation and removal of records authorized for transfer or destruction.

Historical Note

Former Rule 6.

ARTICLE 3. STATE ADVISORY COUNCIL ON LIBRARIES

R2-3-28. Appointment

The State Advisory Council on Libraries will be appointed by the Director of the Library, Archives and Public Records Department.

Historical Note

Former Rule 1.

R2-3-29. Membership

- A. The membership will be selected from the recommendations of the Library Development Committee of the Arizona State Library Association.
- **B.** There will be a minimum membership of nine, following the categories as stated in Public Law 91-600. May be enlarged when Council deems necessary.

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- **C.** The current membership:
 - 1. Public Libraries --

	Metropolitan Areas	1
	County Systems	1
2.	School Libraries	1
3.	Academic Libraries	1
4.	Special Libraries	1
5.	Institutional Libraries	1
6.	Handicapped Service	1
7.	Library Users	4

Historical Note

Former Rules 2,3,4.

R2-3-30. Officers

- A. The Director of the Library, Archives and Public Records Department, the Librarian of the Extension Services, and the Chairman of the Library Development Committee will serve as Ex Officio members.
- **B.** The Chairman will be selected for each year in July. Future meetings will be called by the Chairman as needed.

Historical Note

Former Rules 5.7.

R2-3-31. Terms

The terms will be for a three-year period, staggered by a drawing at the first meeting. The terms will begin July 1 of each year, except the 1971-72 year when the terms will take effect upon appointment.

Historical Note

Former Rule 6.

R2-3-32. Function and purpose

The function and purpose of this Council will be as stated in Public Law 91-600.

Historical Note

Former Rule 8.

ARTICLE 4. HISTORICAL ADVISORY COMMISSION

R2-3-42. Membership

Pursuant to A.R.S. § 41-758, the membership shall consist of not less than 10 nor more than 20. They will be appointed by the Direc-

tor of the Department of Library, Archives and Public Records, meeting the qualifications as stated in the above mentioned A.R.S.

R2-3-43. Terms

The members shall serve for terms of three years, staggered by a drawing at the first meeting. The terms shall begin July 1 of each year, except the 1974/1975 year when the terms will take effect upon appointment. Should there be a vacancy, the replacement appointment shall be for the remainder of that term. Members may be reappointed for succeeding terms. Membership may be terminated at the discretion of the Director for good and sufficient cause.

R2-3-44 Officers

The Director of the Department of Library, Archives and Public Records shall serve as Ex Officio Secretary and maintain the records of the Commission. The Commission shall elect a Chairman and Vice Chairman at the first meeting of each year, except the 1974/1975 year when the Director shall appoint these officers.

R2-3-45. Committees

- A. Standing committees shall be the Historic Sites Review Committee and the Landmarks Committee. The Chairman shall appoint these members in July of each year and shall consult with the State Historic Preservation Officer in selecting members of the Historic Sites Review Committee.
- B. Other temporary committees may be appointed by the Chairman as needed. Membership on the Commission shall not be a requirement to serve on a Commission's committee.
- C. The Commission will review quarterly the recommendations of all its committees.

R2-3-46. Meetings

- **A.** The Director shall call quarterly meetings, the organizational meeting being the first meeting of each year.
- **B.** Other meetings may be called when deemed necessary by the Director or the Chairman. A member may send a designee to sit as an observer at the Commission meetings. The designee may not vote, either directly or in proxy. All meetings of the Commission shall be open public meetings.

Historical Note

Original Rule Number.